

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF WASHINGTON

AT TACOMA

HIDDEN HILLS MANAGEMENT, LLC., and
334TH PLACE 2001, LLC.,

Plaintiffs,

v.

AMTAX HOLDINGS 114, LLC., and AMTAX
HOLDINGS 169, LLC.,

Defendants.

AMTAX HOLDINGS 114, LLC., AMTAX
HOLDINGS 169, LLC., and PARKWAY
APARTMENTS, LP

Counter-Plaintiffs,

v.

HIDDEN HILLS MANAGEMENT, LLC., and
334TH PLACE 2001 LLC.,

Counter-Defendants.

AMENDED JUDGMENT

CASE NUMBER: C17-6048-RBL

XX Decision by Court. This action came to trial before the Court. The issues have been considered and a decision has been rendered. Based on the Court's July 23, 2019 Findings of Fact and Conclusions of Law

THE COURT HAS ORDERED THAT Judgment is entered as follows:

1. The Court enters a declaratory judgment that AMTAX 114's removal of the general partner in Hidden Hills was ineffective and HHM has an enforceable right to exercise its buyout option under the Hidden Hills LPA, in accordance with the Court's directions set forth in the Findings of Fact and Conclusions of Law, Dkt #116;
2. The Court enters a declaratory judgment in favor of AMTAX 114 and against HHM on AMTAX 114's third counterclaim that the Colliers appraisal report is not the "final and binding" appraisal for purposes of calculating the Option Price under Section 7.4J of the Hidden Hills LPA;

3. The Court enters a declaratory judgment in favor of AMTAX 114 and against HHM on AMTAX 114's fifth counterclaim that the Environmental Indemnity Agreement requires HHM to bear the risk of any environmental contamination claim or loss;
4. Judgment is entered in favor of HHM and against AMTAX 114 on its remaining counterclaims;
5. The Court enters a declaratory judgment that AMTAX 169's removal of the general partner in Parkway was ineffective and 334th Place has an enforceable right to exercise its buyout option under the Parkway LPA, in accordance with the Court's directions set forth in the Findings of Fact and Conclusions of Law, Dkt #116;
6. Judgment is entered in favor of 334th Place and against AMTAX 169 on all of its counterclaims; and
7. The Court shall reserve jurisdiction to address any potential future disputes regarding the waterfall calculations or the setting of the Option Price for Hidden Hills and Parkway.

DATED: 9/10/10

s/William M. McCool
William M. McCool, Clerk



Deputy Clerk